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14 CHAUNCEY LEROY WHITE

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN JOSE DIVISION**

18 CHAUNCEY LEROY WHITE, individually and on
19 behalf of all others similarly situated,

20 Plaintiff,

21 v.

22 NATURE'S PATH FOODS USA, INC., a
Wyoming corporation, NATURE'S PATH
23 FOODS, INC., a Canadian corporation, and
DOES 1 through 10, inclusive,

24 Defendants.
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Case No. 5:18-cv-02710-BLF

**JOINT NOTICE OF SETTLEMENT
IN PRINCIPLE AND REQUEST TO
VACATE HEARING**

Judge: Honorable Beth Labson Freeman

Action Filed: January 5, 2018

1 The parties have reached an agreement in principle to settle this matter and anticipate that
2 a final settlement agreement will be completed in the next week. Accordingly, the parties hereby
3 request that the October 4, 2018 hearing on Defendants' Motion to Dismiss First Amended
4 Complaint be vacated. Once the parties finalize their Settlement Agreement, Plaintiff will file a
5 Notice of Dismissal of this action with prejudice pursuant to Federal Rule of Civil Procedure
6 41(a)(1)(A)(i).

7 Dated: September 28, 2018

CLAUDIA M. VETESI
ELIZABETH BALASSONE
R. BENJAMIN NELSON
MORRISON & FOERSTER LLP

11 By: /s/ Claudia M. Vetesi
CLAUDIA M. VETESI

12 Attorney for Defendants

14 Dated: September 28, 2018

RONALD A. MARRON
MICHAEL T. HOUCHIN
**LAW OFFICES OF RONALD A.
MARRON**

17 By: /s/ Ronald A. Marron
RONALD A. MARRON

18 Attorneys for Plaintiff and the Proposed
19 Class

ECF ATTESTATION

I, Claudia M. Vetesi, am the ECF User whose ID and password are being used to file this
JOINT NOTICE OF SETTLEMENT IN PRINCIPLE AND REQUEST TO VACATE
HEARING. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Ronald A. Marron has
concurred in this filing.

Dated: September 28, 2018

MORRISON & FOERSTER LLP

By: /s/ Claudia M. Vetesi

CLAUDIA M. VETESI